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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
JAVIER AGUILERA ROSAS,  
  
Defendant.

CASE NO. 2:24-CR-00237-WBS

STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
[PROPOSED] FINDINGS AND ORDER

DATE: October 21, 2024  
TIME: 10 a.m.  
COURT: Hon. William B. Shubb

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on October 21, 2024.
2. By this stipulation, defendant now moves to continue the status conference until **November 25, 2024 at 10:00 a.m.**, and to exclude time between October 21, 2024, and November 25, 2024, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The government has represented that the discovery associated with this case includes investigative reports and related documents in electronic form, including 100s of pages of documents. All of this discovery has been produced directly to counsel.
  - b) Counsel for defendant desires additional time to consult with his client, review the current charges, conduct investigation and research related to the charges, review discovery for

1 this matter, discuss potential resolutions with his client, and otherwise prepare for trial.

2 c) Counsel for defendant believes that failure to grant the above-requested  
3 continuance would deny him the reasonable time necessary for effective preparation, taking into  
4 account the exercise of due diligence.

5 d) The government does not object to the continuance.

6 e) Based on the above-stated findings, the ends of justice served by continuing the  
7 case as requested outweigh the interest of the public and the defendant in a trial within the  
8 original date prescribed by the Speedy Trial Act.

9 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
10 et seq., within which trial must commence, the time period of October 21, 2024 to November 25,  
11 2024, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code  
12 T4] because it results from a continuance granted by the Court at defendant's request on the basis  
13 of the Court's finding that the ends of justice served by taking such action outweigh the best  
14 interest of the public and the defendant in a speedy trial.

15 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
16 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
17 must commence.

18 IT IS SO STIPULATED.

19  
20  
21 Dated: October 10, 2024

PHILLIP A. TALBERT  
United States Attorney

22  
23 /s/ NICOLE MOODY  
24 NICOLE MOODY  
25 Special Assistant United States  
Attorney

26  
27 Dated: October 10, 2024

/s/ MICHAEL HEUMANN  
28 MICHAEL HEUMANN  
Counsel for Defendant  
Javier Aguilera Rosas

**ORDER**

IT IS SO FOUND AND ORDERED.

Dated: October 10, 2024



**WILLIAM B. SHUBB**  
**UNITED STATES DISTRICT JUDGE**